



# STATE PUBLIC WORKS BOARD

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## STATE PUBLIC WORKS BOARD

August 16, 2019

### PROPOSED MINUTES

#### **PRESENT:**

Ms. Gayle Miller, Chief Deputy Director, Department of Finance  
Mr. Daniel Kim, Director, Department of General Services  
Ms. Ellen Greenberg, Deputy Director, Department of Transportation  
Ms. Jacqueline Wong-Hernandez, Deputy Controller, State Controller  
Mr. Blake Fowler, Director of Public Finance, State Treasurer

#### **CALL TO ORDER AND ROLL CALL:**

Ms. Gayle Miller, Chairperson of the Board, called the meeting to order at 10:02 a.m.  
Ms. Kat Lee, serving as Secretary to the Board, called the roll. A quorum was established.

#### **BOND ITEMS:**

The first order of business was to consider three Bond Items:

- **Bond Item 1:** Mr. Chris Lief, Executive Director for the Board, indicated to the Board that if approved, Bond Item 1 would adopt a resolution authorizing actions to be taken to provide for interim financing, authorize the sale of lease revenue bonds, and other related actions for the construction of the San Bernardino Area Office Replacement in San Bernardino County for the California Highway Patrol.

Staff recommended adoption of the resolution.

Ms. Miller asked if there were any questions or comments from the Board, or from the public. There were none.

**A motion was made by Mr. Fowler and seconded by Ms. Wong-Hernandez to adopt the staff recommendation. The motion passed unanimously through a 5-0 roll-call vote (Ms. Miller, Mr. Kim, Ms. Greenberg, Ms. Wong-Hernandez, and Mr. Fowler all voting aye).**

- **Bond Item 2:** Mr. Lief indicated to the Board that if approved, Bond Item 2 would adopt a supplemental resolution authorizing actions to be taken to provide for interim financing, authorize the sale of lease revenue bonds, and other related actions for the construction of the Pine Mountain Fire Station: Relocate Facility Project in Tulare County, for the Department of Forestry and Fire Protection. Mr. Lief noted that this action corrects a drafting error in the resolution presented to the Board last month.

Staff recommended adoption of the supplemental resolution.

Ms. Miller asked if there were any questions or comments from the Board or from the public. There were none.

**A motion was made by Mr. Fowler and seconded by Ms. Greenberg to adopt the staff recommendation. The motion passed unanimously through a 5-0 roll-call vote (Ms. Miller, Mr. Kim, Ms. Greenberg, Ms. Wong-Hernandez, and Mr. Fowler all voting aye).**

- Bond Item 3: Mr. Lief indicated to the Board that Bond Item 3 would adopt a resolution that would authorize actions to be taken to provide for interim financing, authorize the sale of lease revenue bonds, and other related actions for the construction of the Local Youthful Offender Rehabilitative Facility in Orange County, for the Department of Corrections and Rehabilitation.

Staff recommended adoption of the resolution.

Ms. Miller asked if there were any questions or comments from the Board, or from the public. There were none.

**A motion was made by Mr. Kim and seconded by Ms. Wong-Hernandez to adopt the staff recommendation. The motion passed unanimously through a 5-0 roll-call vote (Ms. Miller, Mr. Kim, Ms. Greenberg, Ms. Wong-Hernandez, and Mr. Fowler all voting aye).**

**Ms. Miller thanked and excused Ms. Wong-Hernandez and Mr. Fowler.**

#### **APPROVAL OF MINUTES:**

The next order of business was to approve the minutes from the July 12<sup>th</sup> Board meeting.

Mr. Lief reported that Board staff had prepared and reviewed the minutes from the July 12<sup>th</sup> Board meeting, and recommended approval of the minutes.

Ms. Miller asked if there were any questions or comments from the Board, or from the public. There were none.

**A motion was made by Mr. Kim and seconded by Ms. Greenberg to adopt the staff recommendation and approve the minutes from the July 12<sup>th</sup> Board meeting. The motion passed unanimously through a 3-0 roll-call vote (Ms. Miller, Mr. Kim and Ms. Greenberg all voting aye).**

#### **CONSENT ITEMS:**

The next order of business was to consider the Consent Calendar, which consisted of seven items:

- Consent Item 1: Consider consenting to a proposed amendment to the Project Development Agreement and authorize the Executive or Deputy Director to sign all necessary documents to effectuate the consent for the new East County Hall of Justice in Alameda County, for the Judicial Council of California.
- Consent Item 2: Consider approving preliminary plans, authorizing an acquisition of real property rights, and authorizing the execution of other necessary documents to complete the acquisition for the Relocation of Red Mountain Communications Site in Del Norte County, for the California Governor's Office of Emergency Services.

- Consent Item 3: Consider recognizing a scope change and approve an augmentation for the Metropolitan State Hospital: Consolidation of Police Operations in Los Angeles County, for the Department of State Hospitals.
- Consent Item 4: Consider recognizing a scope change, approve preliminary plans, and approve the use of inmate/ward labor for the Pelican Bay State Prison, Facility D Yard in Del Norte County, for the Department of Corrections and Rehabilitation.
- Consent Item 5: Consider approving allocation of \$2,735,000 and recognize revised project costs for two Health Care Facility Improvement Program projects for the Department of Corrections and Rehabilitation.
- Consent Item 6: Consider authorizing an above market value acquisition of real property and execution of a Property Acquisition Agreement and any other such documents to complete the acquisition for the Sacramento Region: R Street Parking Structure in Sacramento County, for the Department of General Services.
- Consent Item 7: Consider authorizing acquisition of real property through the exercise of an option to purchase and any other such documents to complete the acquisition for the Sacramento Region: R Street Parking Structure in Sacramento County, for the Department of General Services.

Mr. Lief noted that Consent Items 3, 4, and 5 required a 20-day notice to the Joint Legislative Budget Committees and the fiscal committees in each house, and the review period for those actions had expired without adverse comment.

Staff recommended approval of the Consent Calendar consisting of Consent Items 1 through 7.

Ms. Miller asked if there were any questions or comments from the Board, or from the public. There were none.

**A motion was made by Ms. Greenberg and seconded by Mr. Kim to adopt the staff recommendation and approve the Consent Calendar. The motion passed unanimously through a 3-0 roll-call vote (Ms. Miller, Mr. Kim, and Ms. Greenberg all voting aye).**

#### **ACTION ITEMS:**

The next order of business was to consider one Action item.

- Mr. Lief noted that if approved, the action would adopt one Resolution of Necessity authorizing the use of eminent domain to acquire a property in Fresno County.

Mr. Lief indicated that the parcel lay within the right of way for the Initial Operating Segment, Section 1 of the High Speed Train System.

The Authority notified Board staff that in October 2018, the owner was provided with a first written offer to purchase the subject property, as required by Government Code section 7267.2. To keep the project schedule moving forward, the adoption of a Resolution of Necessity to authorize the use of eminent domain was required at the time.

Mr. Lief noted that the members' briefing packages contained the Resolution of Necessity and maps for the property and also contained an objection letter as to the Tos property in Fresno County and the response from High Speed Rail Authority. Board counsel had reviewed the objection raised in the letter, and based on the review, staff recommended the Board to move forward with the adoption of the Resolution of Necessity for the property.

Ephraim Egan, serving as counsel to the Board on eminent domain issues approached the Board and presented the Resolution of Necessity.

Mr. Egan noted that the Resolution of Necessity for the Tos property had been reviewed and stated that there was prima facie evidence that the factors set forth in the Code of Civil Procedure Section 1245.230 were present.

Mr. Egan explained that High Speed Rail Authority's response had been reviewed and it was counsel's opinion that there was prima facie evidence that the factors set forth in Code of Civil Procedure Section 1245.230 were present for the Tos property.

Staff recommended adoption of the Resolution of Necessity authorizing the use the eminent domain.

Ms. Miller asked if there were any questions or comments from the Board or from the public. There were none.

**A motion was made by Mr. Kim and seconded by Ms. Greenberg to adopt the staff recommendation. The motion passed unanimously through a 3-0 roll-call vote (Ms. Miller, Mr. Kim, and Ms. Greenberg all voting aye).**

**OTHER BUSINESS:**

NONE

**REPORTABLES:**

Mr. Lief presented the reportables for the period July 13 to August 16, 2019. There were no questions or comments from the Board.

**NEXT MEETING:**

Ms. Miller stated that the next Board meeting is scheduled for Monday, September 9, 2019 at 1 p.m. in Room 113 at the State Capitol.

Ms. Miller asked if there were any other questions or comments from the Board, or from the public. There were none.

The meeting was adjourned.